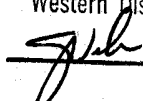


UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

Filed 11-3-06
Clerk, U. S. District Court
Western District of Texas
By  Deputy

UNITED STATES OF AMERICA)
)
)
v.) CRIMINAL NO. SA-06-CR-460-FB
)
)
JOSE FRANCISCO ROGEL-REBOLLAR)

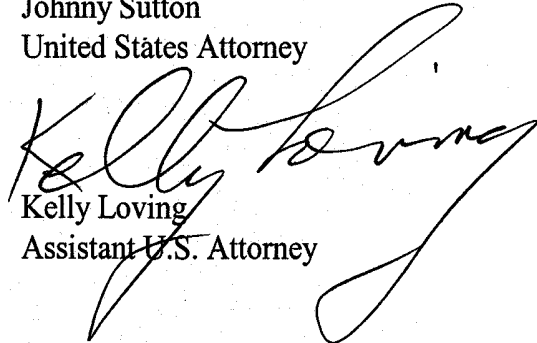
FACTUAL BASIS

The parties agree that, had this case proceeded to trial, the evidence would have shown the following:

Defendant is a native and citizen of the Republic of Mexico. United States Immigration and Customs Enforcement (ICE) records show that Defendant was ordered deported from the United States to the Republic of Mexico on August 19, 1997. The Warrant of Deportation was issued for Defendant and Defendant was deported to Mexico at the Laredo, Texas, Port of Entry on the same day. The executed Warrant of Deportation reflects that a United States INS Detention Enforcement Officer witnessed Defendant's departure from the United States into Mexico. The executed warrant bears the right index fingerprint of the person deported. Examination of Defendant's fingerprints reveals that the prints are from the same person. A review of Defendant's "A" file and the INS Claims Database reveals no record that Defendant applied for or received permission of the Attorney General of the United States or the Secretary of Homeland Security, the successor pursuant to Title 6, United States Code, Sections 202(3), 202(4) and 557, to reapply for admission after deportation.

On August 17, 2006, ICE agents located Defendant within the Western District of Texas.

Johnny Sutton
United States Attorney

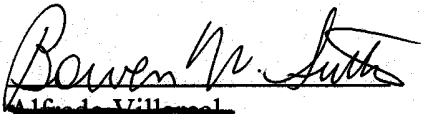


Kelly Loving
Assistant U.S. Attorney

Jose Francisco Rogel

Jose Francisco Rogel-Rebollar
Defendant

11-2-06
Date



~~Alfredo Villarreal~~
Attorney for Defendant

BO SUTTON

11-2-06
Date